

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: RAND, Paul Kenneth

Confirmation No.: 4327

Serial No.: 10/535,453

Group Art Unit: 1619

Filing Date: May 19, 2005

Examiner: LEA, Christopher Raymond

For: *Capsule for a Powder Medicament*

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COMMUNICATION

Applicants submit herewith a Request for Continued Examination to allow consideration of the reference listed in the accompanying Information Disclosure Statement.

Applicants note that JP62122901A was first raised in a foreign office action within the last 30 days. Applicants are not in possession of an English language translation of the entire reference. Applicants raise this reference as it has been asserted by another patent office as describing a filling apparatus for a granular powder having a suction head (3) is set on a porous plate (6) placed on an opening (4) of a vessel (1) with an exfoliative paper (5) positioned between the porous plate and upper end of the opening, suction is then initiated by opening a suction shutter (7), as a means for packing the vessel (1) with powder (lines 1 to 11 of lower left-hand column of page 2).

Applicants respectfully request consideration of the information submitted and the issuance of a Notice of Allowance forthwith.

Respectfully submitted,

/James P. Riek/

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Date: 15 Sept 2009

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